

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C., 20531, on the date indicated below.

BY:

DATE:

20 September 2002

PATENT
Box AF

TECH CENTER 1600/2900

SEP 25 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of : Group Art Unit:
Eugene Roussel : 1642
Appln. No.: 09/756,978 : Examiner:
Natalie A. Davis, Ph.D.
Filed: January 9, 2001 : Conf. No. 6809
For: THERAPEUTIC MODULATION OF THE : Attorney Docket
TUMOR INFLAMMATORY RESPONSE : No. 10582-1US

**RESPONSE AFTER FINAL REJECTION
AND
REQUEST FOR RECONSIDERATION**

The Applicant appreciates the Examiner's participation in the telephone interview conducted on 4 September 2002 with the Examiner, Examiner Caputa, the Applicant, and the Applicant's undersigned representative. It is the Applicant's understanding following the interview that the only substantial issue that is disputed by the Examiner relates to whether the specification adequately teaches how to perform the claimed methods in a human patient. For that reason, the comments in this Response are directed primarily to how what the Applicant has disclosed in the specification fully enables the claimed methods, when the guidance provided in the specification is considered in view of the prior art.

This Response corresponds to the final Office Action dated 3 July 2002 (Paper No. 11) in the patent application referenced above, in view of the discussion of the Examiner's concerns that underlie the rejection in the final Office Action that occurred during the 4 September 2002 interview.

REMARKS

Claims 1-66 are pending. A single rejection remains. Claims 1-66 stand rejected pursuant to 35 U.S.C. § 112, first paragraph. In the Examiner's view, the specification does not enable one skilled in the art to perform the claimed methods in a human patient.